

Message Text

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P R 110831Z MAY 78
FM AMEMBASSY OSLO
TO SECDEF WASHDC PRIORITY
INFO SECSTATE WASHDC 5791
USCINCEUR VAIHINGEN GE

UNCLAS SECTION 1 OF 4 OSLO 2316

FROM ODC

SECDEF FOR USDRE

E.O. 11652: N/A
TAGS: MASS, NO
SUBJECT: FINAL ANNEXS 1 AND 2 TO MOU BETWEEN GON AND USG

ANNEXES ONE AND TWO TO THE MOU BETWEEN GON AND USG ON
RESEARCH, DEVELOPMENT, PRODUCTION AND PROCUREMENT OF
DEFENSE EQUIPMENT WERE INITIALED ON 10 MAY 78 BY MR. HOLST
FOR GON AND MR. DALE CHURCH FOR USG. FINAL TEXTS OF EACH
ANNEX TRANSMITTED HEREWITH:

ANNEX 1 TO MEMORANDUM OF UNDERSTANDING BETWEEN THE
GOVERNMENT OF NORWAY AND THE GOVERNMENT OF THE UNITED
STATES OF AMERICAN CONCERNING THE PRINCIPLES GOVERNING
MUTUAL COOPERATION IN THE RESEARCH AND DEVELOPMENT,
PRODUCTION AND PROCUREMENT OF DEFENSE EQUIPMENT SIGNED
AT BRUSSELS ON THE 1978.

IMPLEMENTING PROCEDURES FOR THE "MEMORANDUM OF
UNDERSTANDING BETWEEN THE GOVERNMENT OF THE UNITED
STATES AND THE GOVERNMENT OF NORWAY RELATING TO THE
PRINCIPLES GOVERNING COOPERATION IN R&D, PRODUCTION
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AND PROCUREMENT OF DEFENSE EQUIPMENT" OF 24 SEPTEMBER
1975.

I. INTRODUCTION
ON 1978 THE GOVERNMENTS OF THE UNITED STATES
(US) AND NORWAY SIGNED A MEMORANDUM OF UNDERSTANDING
(MOU) RELATING TO "THE PRINCIPLES GOVERNING COOPERATION

IN R&D, PRODUCTION AND PROCUREMENT OF DEFENSE EQUIPMENT." THE PURPOSE OF THIS DOCUMENT IS TO SET FORTH THE AGREED IMPLEMENTING PROCEDURES FOR CARRYING OUT THE MOU.

II. MAJOR PRINCIPLES

A. THE US DEPARTMENT OF DEFENSE (DOD) AND THE MINISTRY OF DEFENCE OF NORWAY (MOD) WILL EACH CONSIDER FOR THEIR DEFENSE REQUIREMENTS QUALIFIED DEFENSE ITEMS (AND ASSOCIATED SERVICES INCLUDED IN PROCUREMENT CONTRACT) DEVELOPED OR PRODUCED IN THE OTHER COUNTRY. (SEE ALSO PARAGRAPH III OF THIS ANNEX). MOD AND DOD WILL ALSO IDENTIFY TO ONE ANOTHER, AS SOON AS POSSIBLE, THOSE PRACTICES OF THEIR RESPECTIVE COUNTRIES HAVING THE FORCE OF LAW THAT MAY POTENTIALLY RESTRICT THE FULFILLMENT OF THE MEMORANDUM OF UNDERSTANDING AND THIS ANNEX.

B. IT WILL BE THE RESPONSIBILITY OF GOVERNMENT AND/OR INDUSTRY REPRESENTATIVES IN EACH COUNTRY TO OBTAIN INFORMATION CONCERNING THE OTHER COUNTRY'S PROPOSED DEVELOPMENTS AND PURCHASES AND TO RESPOND TO REQUESTS FOR PROPOSALS. HOWEVER, THE RESPONSIBLE GOVERNMENTAL PURCHASING AGENCIES IN EACH COUNTRY WILL ASSIST SOURCES IN THE OTHER COUNTRY TO OBTAIN INFORMATION CONCERNING PROPOSED PURCHASES, NECESSARY QUALIFICATIONS AND APPROPRIATE DOCUMENTATION.

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III. ACTION

IN IMPLEMENTING THE MOU, DOD AND MOD WILL REVIEW AND, WHERE CONSIDERED NECESSARY, REVISE POLICIES, PROCEDURES AND REGULATIONS TO ENSURE THAT THE PRINCIPLES AND OBJECTIVES OF THIS MOU, WHICH ARE INTENDED TO BE COMPATIBLE WITH THE BROAD AIMS OF NATO RATIONALIZATION/ STANDARDIZATION, ARE TAKEN INTO ACCOUNT. THE DOD AND THE MOD AGREE THAT HAVING TAKEN THE MEASURES LISTED BELOW, THEY WILL HAVE FULFILLED THEIR OBLIGATION UNDER PARAGRAPH 1, ARTICLE 1, OF THE MOU, TO EXHAUST ALL MEANS AT THEIR DISPOSAL TO MAXIMIZE DEFENSE R&D COOPERATION AND RECIPROCAL PROCUREMENT. THESE MEASURES WILL BE UTILIZED IN A REASONABLE MANNER RECOGNIZING AMONG OTHER FACTORS, DELIVERY DATE REQUIREMENTS FOR SUPPLIES, SECURITY AND THE TIMELY CONDUCT OF THE PROCUREMENT PROCESS, AND REQUIREMENTS ATTENDANT TO ENSURING FREE AND FULL COMPETITION FOR THE AWARD OF

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UNCLAS SECTION 2 OF 4 OSLO 2316

FROM ODC

SECDEF FOR USDRE

CONTRACTS.

A. ENSURE THAT THEIR RESPECTIVE REQUIREMENTS
OFFICES ARE FAMILIAR WITH THE PRINCIPLES AND
OBJECTIVES OF THIS MOU.

B. ENSURE THAT THEIR RESPECTIVE RESEARCH
AND DEVELOPMENT OFFICES ARE FAMILIAR WITH THE
PRINCIPLES AND OBJECTIVES OF THIS MOU.

C. ENSURE THAT THEIR RESPECTIVE PROCUREMENT
OFFICES ARE FAMILIAR WITH THE PRINCIPLES AND
OBJECTIVES OF THIS MOU.

D. ENSURE WIDE DISSEMINATION OF THE BASIC
UNDERSTANDING OF THIS MOU TO THE RESPECTIVE DEFENSE
INDUSTRIES.

E. ENSURE THAT, CONSISTENTLY WITH NATIONAL
LAWS AND REGULATIONS, OFFERS OF DEFENSE ITEMS
PRODUCED IN THE OTHER COUNTRY WILL BE EVALUATED
WITHOUT APPLYING, TO SUCH OFFERS, EITHER PRICE
DIFFERENTIALS UNDER BUY-NATIONAL LAWS AND
REGULATIONS OR THE V-COST OF IMPORT DUTIES. PRIVISIONS
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WILL BE MADE FOR DUTY FREE ENTRY CERTIFICATES AND
RELATED DOCUMENTATION.

F. ASSIST INDUSTRIES IN THEIR RESPECTIVE
COUNTRIES TO IDENTIFY AND ADVISE THE OTHER GOVERNMENT

OF THEIR CAPABILITIES AND ASSIST SUCH INDUSTRIES
IN CARRYING OUT THE SUPPORTING ACTIONS TO MAXIMIZE
INDUSTRIAL PARTICIPATION.

G. REVIEW DEFENSE ITEMS SUBMITTED AS
CANDIDATES FOR RESPECTIVE REQUIREMENTS. IDENTIFY
REQUIREMENTS AND PROPOSED PURCHASED IN A TIMELY
FASHION TO ENSURE ADEQUATE TIME FOR THEIR RESPECTIVE
INDUSTRIES TO PARTICIPATE IN THE DEVELOPMENT OR
PRODUCTION PROCUREMENT PROCESS.

H. MAKE BEST EFFORTS TO ASSIST IN NEGOTIATING
LICENSES, ROYALTIES, AND TECHNICAL INFORMATION
EXCHANGES WITH THEIR RESPECTIVE INDUSTRIES.

I. ENSURE THAT THOSE ITEMS EXCLUDED FROM
CONSIDERATION UNDER THIS MOU FOR REASONS OF PROTECTING
NATIONAL REQUIREMENTS SUCH AS THE MAINTENANCE OF A
DEFENSE MOBILIZATION BASE ARE LIMITED TO A SMALL
PERCENTAGE OF TOTAL ANNUAL DEFENSE PROCUREMENT
SPENDING. IT IS INTENDED THAT SUCH DEFENSE ITEMS,
AS WELL AS THOSE ITEMS WHICH WOULD NOT BE QUALIFIED
AS A DEFENSE ITEM UNDER THIS MOU BECAUSE OF LEGALLY
IMPOSED RESTRICTIONS ON PROCUREMENT FROM NON-NATIONAL
SOURCES, SHOULD BE IDENTIFIED AS SOON AS POSSIBLE IN
LISTS DRAWN UP BY MOD AND OSD FOR THEIR RESPECTIVE
COUNTRIES, AND THAT THE POSITION SHOULD BE KEPT
UNDER REVIEW AT THIS LEVEL.

J. ENSURE THAT THE BALANCE OF RECIPROCAL
PURCHASING WITHIN THE AREAS OF THIS MOU TAKES INTO
CONSIDERATION THE LEVELS OF TECHNOLOGY INVOLVED, AS
WELL AS THE CONTRACTUAL VALUE.

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K. BOTH DOD AND MOD WILL FROM TIME TO TIME
ARRANGE VISITS BY RELEVANT PERSONNEL TO THE OTHER
COUNTRY IN ORDER TO ACTIVELY EXPLORE POSSIBILITIES
FOR R&D COOPERATION AND PROCUREMENT.

IV. COUNTING PROCEDURES

THE PURCHASES TO BE COUNTED AGAINST THE GOALS OF THE
MOU WILL BE IDENTIFIED JOINTLY BY DOD AND MOD. IN
PRINCIPLE (1) ALL ITEMS PROCURED BY THE OVERSEAS
BASE EXCHANGES AND COMMISSARY OPERATIONS FOR
RESALE OVERSEAS SHALL BE COUNTED AND (2) ALL DEFENSE
ITEMS (AND ASSOCIATED SERVICES INCLUDED IN A PROCURE-
MENT CONTRACT) PURCHASED BY DOD AND MOD FOR THE
OTHER COUNTRY WILL BE COUNTED AGAINST THE GOALS OF
THE MOU AS LONG AS SUCH PURCHASES MEET THE FOLLOWING
CRITERIA:

A. DIRECT PURCHASES BY THE MOD OR DOD,
INCLUDING THEIR RESPECTIVE AGENCIES, FROM ONE ANOTHER.

B. DIRECT PURCHASES BY EITHER THE MOD OR DOD

FROM THE INDUSTRY OF THE OTHER COUNTRY.

C. PURCHASES BY INDUSTRY FROM THE GOVERNMENT
OR INDUSTRY OF THE OTHER COUNTRY IN AID OF GOVERNMENT
DEFENSE CONTRACTS.

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D. PURCHASES BY A THIRD COUNTRY GOVERNMENT
FROM THE GOVERNMENTS OF THE UNITED STATES OR OF
NORWAY OR FROM INDUSTRIES OF THE TWO COUNTRIES
AS A DIRECT RESULT OF EFFORT OF THE OTHER (NON-
SUPPLYING) COUNTRY.

E. PURCHASES RESULTING FROM COMMON FUNDED
DEFENSE PROJECTS TO WHICH THE UNITED STATES AND/OR
NORWAY ARE CONTRIBUTORS, TO BE CREDITED IN PROPORTION
TO EACH COUNTRY'S FINANCIAL CONTRIBUTION TO THE
PROJECT, AND TO WORK CARRIED OUT IN EACH COUNTRY.
THE EXTENT TO WHICH SUCH PURCHASES WILL BE COUNTED
AGAINST THE GOALS OF THE MOU WILL BE AGREED BETWEEN
MOD AND DOD IN EACH CASE.

F. LICENSE FEES, ROYALTIES AND OTHER
ASSOCIATED INCOME RESULTING FROM ORDERS PLACED BY
INDUSTRY AND/OR DOD OR MOD WITH A LICENSED COMPANY
IN THE OTHER COUNTRY.

V. ADMINISTRATION
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A. EACH COUNTRY WILL DESIGNATE POINTS OF CONTACT AT THE MINISTRY OF DEFENCE LEVEL AND IN EACH PURCHASING SERVICE/AGENCY.

B. COUNTRY REPRESENTATIVES WILL MEET AT AGREED INTERVALS TO REVIEW PROGRESS IN IMPLEMENTING THE MOU. THEY WILL DISCUSS DEVELOPMENT, PRODUCTION AND PROCUREMENT NEEDS OF EACH COUNTRY AND THE LIKELY AREAS OF COOPERATION; AGREE TO THE BASIS OF, AND KEEP UNDER REVIEW, THE FINANCIAL STATEMENT REFERRED TO BELOW; AND CONSIDER ANY OTHER MATTERS RELEVANT TO THE MOU.

C. AN ANNUAL UNITED STATES/NORWAY STATEMENT OF THE CURRENT BALANCE, AND LONG-TERM TRENDS, OF PURCHASES BETWEEN THE TWO COUNTRIES WILL BE PREPARED ON A BASIS TO BE MUTUALLY AGREED. SUCH STATEMENT WILL TAKE ACCOUNT OF ANY UNITED STATES-NORWAY OFFSET AGREEMENTS IN FORCE WHEN THE MOU SIGNED, AND WILL BE REVIEWED DURING THE MEETINGS REFERRED TO IN B. ABOVE.

D. QUALITY ASSURANCE PROCEDURES OUTLINED IN STANAG 4107 AND 4108 WILL APPLY UNLESS OTHER PROVISIONS ARE MUTUALLY AGREED TO ON ANY SPECIFIC CONTRACT. REIMBURSEMENT FOR SERVICES PROVIDED SHALL BE AFFORDED IN ACCORDANCE WITH THE NATIONAL LAWS AND REGULATIONS OF EACH COUNTRY.

ANNEX 2 TO MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENT OF NORWAY AND THE GOVERNMENT OF THE UNITED STATES OF AMERICA CONCERNING THE PRINCIPLES GOVERNING MUTUAL COOPERATION IN THE RESEARCH AND DEVELOPMENT, PRODUCTION AND PROCUREMENT OF DEFENSE EQUIPMENT, SIGNED AT BRUSSELS ON THE 1978.

INDICATIVE PRODUCTS LIST (NORWAY).

THE PRODUCT AREAS LISTED BELOW ARE INDICATIVE OF
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NORWEGIAN INDUSTRY CAPABILITY AND INTEREST.
THE LIST SHALL NOT BE CONSIDERED LIMITATIVE-AND
DOES NOT PRECLUDE NORWEGIAN PARTICIPATION IN
UNITED STATES DEPARTMENT OF DEFENSE EVALUATION AND/
OR RESEARCH AND DEVELOPMENT PROGRAMS.

THIS LIST IS SUBJECT TO UP-DATING FROM TIME TO TIME
AS AGREED.

IN SOME INSTANCES NORWEGIAN PARTICIPATION COULD TAKE
THE FORM OF DELIVERY OF COMPONENTS.
FOR CO-OPERATIVE RESEARCH AND DEVELOPMENT PURPOSES

NORWEGIAN INTEREST INCLUDES COMPLETE SYSTEMS.

ARMY

ARTILLERY INCLUDING FIRE CONTRL

-FIRE CONTROL SYSTEMS

-RADAR CHRONOGRAPH

-MORTAR FIRE CONTROL SYSTEMS

-ANTI-TANK MISSILE SYSTEMS

-ARMY AIR DEFENSE SYSTEMS (GUNS AND MISSILES)

AMMUNITION

-MULTI-PURPOSE AMMUNITION

-MORTAR BOMBS (81 MM)

-SMOKE SYSTEMS-INSTANTANEOUS SMOKE

-SPECIAL EXPLOSIVES

-PROXIMITY FUZES

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COMMUNICATION EQUIPMENT

-COMMAND CONTROL AND INFORMATION SYSTEMS

-SHF-RADIO LINK

NBC PROTECTIVE EQUIPMENT

-PROTECTIVE CLOTHING

-NBC DECONTAMINATION EQUIPMENT

COMBAT VEHICLES/TRANSPORT VEHICLES

-LASER SENSORS

MISCELLANEOUS

-FIRE ALARM SYSTEMS

-ELECTRIC AND OTHER CABLES

NAVY

-SHIP-TO-SHIP MISSILE SYSTEMS

-AIR-TO-SHIP MISSILE SYSTEMS

-SHIPBORNE AIR DEFENSE AND ANTI-SHIP MISSILE

DEFENSE SYSTEMS (GUNS AND MISSILES)

-INTERNAL NAVIGATION SYSTEMS-FOR SMALL AND

MEDIUM SIZED SURFACE VESSELS AND SUBMARINES

-FIRE CONTROL SYSTEMS-FOR SMALL AND MEDIUM

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SIZED SURFACE VESSELS AND SUBMARINES

-COMMAND, CONTROL AND INFORMATION SYSTEMS-

FOR SMALL AND MEDIUM SIZED SURFACE VESSELS AND

SUBMARINES

AIR FORCE

-AIR DEFENSE MISSILE AND GUN SYSTEMS

-CONTROL AND REPORTING SYSTEMS

AIR-TO-AIR MISSILE SYSTEMS

-AIR-TO-GROUND MISSILE SYSTEMS

-PNEUMATIC JET STARTER

MISCELLANEOUS

-SHIPS GEAR (HYDRAULIC PUMPS, STEERING GEAR,

WINCHES, WELDING EQUIPMENT ETC)

-STEEL WIRE AND NYLON ROPE

-SPECIAL PURPOSE COMPUTERS

-SPECIAL FORGINGS.

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